

TWO 71ST CAPTAINS ARE PLACED UNDER MILITARY ARREST.



Major Clinton H. Smith.

Dissensions in the Regiment Result in Court Martial for Bleecker and Meeks.

THE truth about the conduct of the Seventy-first Regiment in the Santiago campaign is about to be made known; the blame for cowardices, if any, displayed at that time, will be fixed upon the right individuals, and the regiment as a whole will be cleared of unjust aspersion.

Captains Anthony J. Bleecker and William F. Meeks were placed under arrest yesterday, to be tried by court-martial for publishing a statement reflecting upon Colonel Downs, Lieutenant-Colonel Smith and Major Whittle. They welcomed the opportunity to put the truth about the campaign on record. During the war unscrupulous sensation mongers attempted to give the whole regiment a bad name for faults exhibited by not more than three officers. If the charges published broadcast had been as well founded as they were actually unjust it would still have been unpatriotic and dastardly to circulate them at such a time, and the Journal properly denounced the proceeding. But now that the war is over the time has come to probe the whole affair to the bottom, expose any misconduct that existed and relieve a brave regiment from a cruel injustice.

If there was any lack of courage in the Seventy-first it was confined to three officers at most. The other officers and men are anxious for an investigation which, in placing blame where it belongs, shall clear the intrepid majority of an undeserved stigma. The court-martial ordered yesterday promises to accomplish this end.

Captain William F. Meeks, of Company I, and Captain Anthony J. Bleecker, of Company G, Seventy-first Regiment, were placed under military arrest at the regiment's armory last night. The arrest was



Captain William F. Meeks.

The commander of Company I, Seventy-first Regiment, was placed under military arrest last night for discussing the conduct of his superior officers at the battle of San Juan Hill.

made by Major Clinton H. Smith in person and is the preparatory step to a court martial of the men, growing out of the dissensions which have been rife in the regiment since its return from Cuba.

Since the Seventy-first was mustered out of the volunteer service many of its men have published statements of the Santiago campaign reflecting upon the conduct of the regiment by its principal officers. The charges were made that on July 1, the day of the battle of San Juan Hill, Colonel Downs, commanding the regiment, Lieutenant-Colonel Smith and Major Whittle remained at the rear and were not with the regiment in its march by detached companies up the hill.

Captain Meeks and Captain Bleecker published in several newspapers on November 29 a jointly signed statement relating the conduct of the regiment on July 1 and on the two days following. It is on account of this statement that the men were arrested last night.

In the signed article the captains state that Colonel Downs was not seen by any of the members of Company G on San Juan Hill until late in the night after the battle, and that Lieutenant-Colonel Smith was not seen there until the morning of July 2.

When the first day's firing had ceased, the article relates, General Hawkins, in command of the brigade, asked where were

the Colonel, Lieutenant-Colonel and Senior Major, and no one could tell him. Afterward he asked Major Deck to send an officer to Brigadier-General George Moore Smith, commanding the Fifth Brigade of the State Guard, of which the Seventy-first is a part. He held another conference with General Smith at the General's home, No. 132 Madison avenue, on Wednesday night, and upon General Smith's advice, relieved the two captains of their commands last night.

Captain Bleecker and Captain Meeks had been ordered to report at the armory. Only a few members of the regiment were present. Captain Meeks arrived at 8:30 o'clock and went directly into Lieutenant-Colonel Smith's office. Captain Bleecker came later, and was in evening dress. Both officers were asked if the statements that had appeared in the newspapers as coming from them were authentic, and both replied in the affirmative.

When this statement was published, Lieutenant-Colonel Smith, who has resumed his militia rank of Major since the mustering out of the regiment, conferred with Brigadier-General George Moore Smith, commanding the Fifth Brigade of the State Guard, of which the Seventy-first is a part. He held another conference with General Smith at the General's home, No. 132 Madison avenue, on Wednesday night, and upon General Smith's advice, relieved the two captains of their commands last night.

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ELLEN KELLY'S BABY BROUGHT BACK TO HER IN RICH ATTIRE

Mysterious Foster-Mother Surrenders the Little One.

HER IDENTITY UNKNOWN.

Woman Who Returns the Missing Child Had Searched for It a Month.

SHE WAS IN FEAR OF ARREST.

Bertha Rudolph Met the Woman Who Took the Baby Away and Threatened to Call the Police.

Ellen Kelly placed her six-weeks-old child in the hands of a nurse about four weeks ago. The nurse turned the child over to another woman without the mother's knowledge, and the babe was finally sold for \$10 to an unknown and wealthy woman. Then all trace of the woman and child was lost. Tuesday a woman who as present when the babe was sold recognized the purchaser on the street and threatened her with arrest. The woman escaped, but last night the child was returned to its mother attired in rich and dainty clothing.

Ellen Kelly's baby has been found. After days of fruitless search on the part of the police and Gerry Society agents, the long missing infant has been restored to its mother through the agency of Mrs. Bertha Rudolph, of No. 98 East Tenth street. Three months ago a babe was born to Ellen Kelly, a pretty blue-eyed Irish girl, who was then at the establishment of Mrs. Louisa Wagner, a midwife, at No. 205 East Fifty-fifth street. The child was born out of wedlock, and its father refusing to support it the mother left it with Mrs. Wagner. A short time afterward it was placed, with her consent, in the hands of Mrs. Rosa Steiber, another midwife, who then lived at No. 98 East Tenth street. The mother was to pay \$2 per week for the support of the child.

A few days later Ellen Kelly was horrified to find that her child had been given into the care of some one she did not know. Mrs. Steiber told her it had been placed in good hands, but refused to say who had it. Upon complaint of the young mother Mrs. Steiber was arrested by agents of the Gerry Society. She said she had given the baby by consent of the mother, into the keeping of a rich woman whose baby had died while its father was in Europe, and she proposed to palm the child off as her own.

To this story the woman clung, giving the name and address of the woman who had taken the child as Mrs. Raleigh, Spring field avenue, Newark. No such person could be found there and Mrs. Steiber was put under bond to answer a charge of kidnapping. In the house with Mrs. Steiber lived Mrs. Bertha Rudolph, a fortune teller. Mrs. Rudolph saw the woman who took the baby. When she learned of Ellen Kelly's distress she made Mrs. Steiber leave her house. Then she went to Ellen Kelly, saying: "Do not worry! I will find your child. I have read it in the cards."

From that day, four weeks ago, Mrs. Rudolph kept up a search for the child. On Tuesday afternoon, while in Avenue A, she saw a woman whom she recognized as the one who took Ellen Kelly's baby. She accosted the woman.

"You have Ellen Kelly's baby and must give it up," she said, "or I will call the police."

"No, I am not," declared Mrs. Rudolph, "I have your baby, and you don't give up the child."

The woman managed to get away, although Mrs. Rudolph followed her. At 7 o'clock last night the door bell of Mrs. Rudolph's house rang. Her husband answered. He saw a tall, good-looking blond woman, who stepped in, bearing a bundle in her arms.

"Here's Emma Kelly's baby. Arrest me if you like," said the woman, presenting the child to Mrs. Rudolph. He ran downstairs and told his wife. He found with her Mrs. Dickinson, Ellen Kelly's sister. They dispatched the woman to the police station. Later Ellen Kelly entered the door. As she did so she caught sight of her child. Snatching it from her sister's arms, she kissed and caressed it, almost frantic with joy.

The woman who had brought the child said her sister had given Mrs. Steiber \$10 for it. She had wished to substitute it for the one she lost by death. She said her sister had never heard of Ellen Kelly's loss until Mrs. Rudolph told her of it in Avenue A. She refused to give the name or address of her sister and left the house weeping.

Before departing the woman said she had a baby carriage and a lot of clothing for the child and that she would send it to the mother.

The baby was clothed in garments of fine texture. It had evidently been in good hands.

When a Journal reporter saw Ellen Kelly last night she was laughing and crying alternately over her child.

"I never closed my eyes once while my baby was gone," she said. "I'll never part with her again."

Ellen Kelly was the happiest woman in all New York last night.

BRYAN TO JOIN HIS REGIMENT.

Returns Before His Furlough Expires, Having Recovered His Health.

Lincoln, Neb., Dec. 1.—Colonel W. J. Bryan left this evening for Savannah, Ga., to rejoin his regiment. His furlough does not expire until the 5th, but his health being fully recovered, he felt it his duty to return.

Several prominent political leaders, among them ex-Congressman Towne and Thomas C. Patterson, of Denver, have been in conference with Colonel Bryan during the week.

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GOV. TANNER INDICTED FOR MALFEASANCE IN OFFICE.

Grand Jury at Virden Returns Bill Against Illinois Executive.

MINE OPERATORS HELD.

Accused of Manslaughter and Deputies Charged with Murder.

OUTCOME OF THE STRIKE RIOTS.

Miners Were Killed at Virden While Fighting with Deputies Who Were Protecting Imported Negroes.

Virden, Ill., Dec. 1.—The Grand Jury, which was summoned to investigate the coal mine riots, has finished its labors in a decidedly sensational fashion.

It has brought in these three indictments: First—Against John Riley Tanner, Governor of the State of Illinois, charging him with omission of duty and malfeasance in office.

Second—Against the operators of the Chicago-Virden Mining Company, charging them with manslaughter, and

Third—Against the armed deputies who were employed by the officers and owners of the mining company, charging them with murder in having shot down certain named miners, while they, the miners, were not guilty of any infraction of the laws of the State of Illinois.

The Grand Jury also returned an indictment against the operators of the Chicago-Virden Mining Company, charging them with manslaughter, and

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AMASA J. PARKER, JR., MUST EXPLAIN HOW HIS CLIENT'S PAPERS GOT INTO THE GOULDS' HANDS.



Miss Helen Gould and Mrs. Cody.

FROSTBITTEN FLAT DWELLERS IN REVOLT.

Wealthy Tenants Rebelling Against Fictitious Steam Heat.

ON BROOKLYN HEIGHTS.

Residents of the Grosvenor and Berkeley Hold an Indignation Meeting.

When, in years to come, the historian of New York approaches his important chapter on "The Revolt of the Flat Dwellers" he will learn from the archives that this momentous revolution began with an indignation meeting of wealthy but frost-bitten tenants from a row of the most pretentious steam-heated apartment houses on Brooklyn Heights.

This event, which proves that truth is stranger than the comic papers, took place last night in a parlor of the Hotel Pierpont, just across the way from the homes of the sufferers in the Grosvenor and the Berkeley, No. 111 to 117 Montague street. The owner of the property is Mrs. Norman L. Munro, widow of the publisher.

It was a highly distinguished gathering. There were three physicians, representing three out of the four ground-floor flats. There were lawyers, architects, brokers and pillars of society. Half of them had never met the other half before, but they came to the meeting with a common purpose.

There was no little formality about the meeting. It was as dignified as a legislative session. Those present were not designated by name, but by such distinguished phrases as "The gentleman from the Berkeley, first floor east" and "The representative from the fifth floor, west, Grosvenor."

Two of the agitators were women, but when it was earnestly represented to them that their male fellow-tenants were competent to characterize the situation in language sufficiently ornate, they withdrew.

Henry C. Hardy, a broker, at No. 30 Broadway, called the meeting to order. The first business was the consideration of a bill of complaints and specifications. Its principal features are enumerated here: A refusal to accept this offer would cause no change in the present plans of the company, which provide for the completion of the work. It was eloquently explained by the gentlemen what could and would be done by the Panama Canal Company in case the United States was injudicious enough to go on with its Nicaraguan scheme. While undoubtedly the language employed by Secretary Hay's callers was of the politest description, there seems to be no question that a free passage through the Panama Canal for foreign war ships and cheap rates for merchant vessels were predicted.

This is the beginning of the fight against the Nicaraguan Canal. A potent lobby will soon be here, and the fight will undoubtedly be waged for the lobby will be backed by not only the Panama Canal Company, but by Collis P. Huntington and his railroad interests, and the Panama Railway Company.

Says Concession Is Worthless. Coincident with this effort of a foreign corporation to take the United States by the throat occurred the call of President Iglesias, of the Costa Rican republic, upon Secretary Hay, with the assurance that the concession to the Costa Rican republic was worthless.

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WEATHER.

For New York City:
Increasing cloudiness,
probably showers, station-
ary temperature.
For New York, New Jersey,
Connecticut and Eastern Penn-
sylvania: Cloudy, probably showers.
The highest temperature to-
day was 43 degrees, at 3:30 p. m.
The lowest temperature yester-
day was 37 degrees, at 9 a. m.

SUN OUT
O'DAY

He Is to Be Called as a Wit- ness in the Trial of Mrs. Cody.

ACTED AS HER COUNSEL.

Her Defence Opens, and Is That She Acted in Good Faith for Mrs. Angell.

SHE MAKES A GOOD WITNESS.

Tells How Parker and William McMurtrie Speer Entered into an Agreement with Her.

Albany, Dec. 1.—Amasa J. Parker, Jr., a lawyer and one of the fashionable young men of this city, is to be called as a witness in the trial of Mrs. Cody, who is charged with attempting to blackmail the heirs of the late Jay Gould. This leaked out to-day accidentally. Mr. Parker, full of wealth and power, is to be asked in a crowded courtroom how certain papers, entrusted to him by Mrs. Sarah Ann Angell, who was his client, fell into the hands of the Goulds, who were his clients' enemies. Here is a brief statement of Mr. Parker's connection with the case, dictated to-night by one of the persons engaged in the pending trial:

"Mrs. Angell, who claimed to be the widow of Mr. Gould, executed a power of attorney in favor of Mrs. Cody and Mr. Parker. Parker took all the original affidavits, declarations, etc. He told Mrs. Cody that he had a drawer in the Albany Safe & Deposit Company, and would place the papers there. Now they turn up in the possession of the Gould lawyers."

It was believed that Mr. Parker would not be called as a witness, but an opportunity to explain will be given him. William McMurtrie Speer, who was associated with Mr. Parker in pushing the claims of Mrs. Angell, was also called. Mrs. Cody was referred to as an honest and tender-hearted woman who would harm no one, and who loved to feed the hungry. She hoped about on the ledge of her cell window, tears came into Mrs. Cody's eyes. Miss Gould said she heard her head low over her writing pad and began scribbling.

In response to questions from her attorney, Mr. Dugan, Mrs. Cody told a straightforward story of her connection with Mrs. Angell's case, and her cross-examination, which was conducted for the prosecution by Delaury Nicol, and did not weaken her story.

Mrs. Cody said that her first attention was called to the case by an interview with Mr. Pierce in the Rocky Mountain News, of Denver, in December, 1894, in which Pierce said his wife, Mrs. Angell's daughter, was the daughter of the late Jay Gould, who had deserted his first wife. She said she had on several occasions been employed to look up relationships and family trees, and when she saw this she began a correspondence with Mrs. Pierce concerning the matter. Eight months later she visited Mrs. Angell at Rouse's Point, and after talking the matter over with her, agreed to try and establish the proof of relationship of the matter to Jay Gould.

The story was then published, and a Mr. Speer called on her and asked her if she

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